

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Sharon D. Robinson,

Civ. No. 08-694 (DSD/JJK)

Plaintiff,

v.

ORDER

Michael J. Astrue, Commissioner of Social Security,

Defendant.

Fay E. Fishman, Esq., Petersen & Fishman, counsel for Plaintiff.

Lonnie F. Bryan, Esq., Assistant United States Attorney, counsel for Defendant.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated March 11, 2009. No objections have been filed to that Report and Recommendation in the time period permitted.

Based on the Report and Recommendation of the Magistrate Judge, on all of the files, records, and proceedings herein, the Court now makes and enters the following Order.

IT IS HEREBY ORDERED that:

1. Plaintiff's Motion for Summary Judgment (Doc. No. 14) is **GRANTED**;
2. Defendant's Motion for Summary Judgment (Doc. No. 16) is **DENIED**; and
3. This case is remanded to the Commissioner for a calculation and award of benefits.

Date: April 6, 2009

s/David S. Doty _____
David S. Doty _____
United States District Judge